

## **Instructions For R.C. 2319.09: Petition For Issuance of Subpoena(s) by the Franklin County, Ohio Common Pleas Court On Behalf Of A Foreign Court**

### Required Instruments

1. Petition for the issuance of subpoenas pursuant to Ohio Revised Code Section 2319.09.
2. Notice of the taking of the deposition (not required for the production of documents only).
3. Subpoena (original and three (3) copies). It is suggested that the petitioner use the subpoenas(s) supplied by the Clerk's office in order that the petitioner is in compliance with Ohio Civil Rule 45.
4. If the subpoenas are to be served by a process server:
  - a. Motion for the appointment of a process server.
  - b. A proposed court order appointing the process server (order to be approved and signed by a judge of this court).
5. A commission, issued by the foreign court, authorizing a qualified court reporter in the state of Ohio to administer oaths to witnesses (not required for the production of documents only or if not required by the foreign court).
6. A proposed court order, to be approved by a Franklin County Common Pleas Court judge, directing the Clerk of Courts to issue the subpoena(s).

### Mechanics

Upon receipt of the above instruments, the clerk's office will assign a miscellaneous case number. The instruments and the proposed court order will be presented to the assigned judge for approval. The clerk of court will issue the subpoena(s) upon approval. You must submit a check in the amount of \$25.00, payable to the "Franklin County Clerk of Courts" for filing costs. If the Franklin County Sheriff is to serve the subpoena, add an additional \$10.00 per subpoena. Make certain the address used to serve the deponent is within Franklin County, Ohio—the sheriff cannot serve persons outside this jurisdiction. Please review Loc. R. 91 pertaining to admission of out-of-state attorneys to practice before this court.

If a process server is to serve the subpoena(s), the process server must report to the Clerk of Courts to pick up the subpoena(s).

Please enclose a stamped, self-addressed envelope for return of the documents you have submitted.

- This court cannot order a witness to attend a deposition outside this court's jurisdiction.
- This office cannot accept personal checks.

Please direct any questions regarding completion of the service of subpoenas to the Franklin County Sheriff at (614) 462-4227.

You can contact the Clerk of Courts with all other inquiries at:  
Franklin County Clerk of Courts, Civil Division  
369 S. High Street, 3<sup>rd</sup> Floor  
Columbus, OH 43215  
(614) 462-3621